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Report of the Secretary-General on the United Nations Stabilization Mission in Haiti

I. Introduction

1. By its resolution 1743 (2007), the Security Council extended the mandate of the United Nations Stabilization Mission in Haiti (MINUSTAH) until 15 October 2007, and requested me to report on its implementation no later than 31 August 2007. The present report covers major developments since my report of 19 December 2006 (S/2006/1003) and progress made in the implementation of the mandate of the Mission as contained in Security Council resolutions 1542 (2004), 1608 (2005), 1658 (2006), 1702 (2006) and 1743 (2007), and also presents recommendations for the future.

II. Political developments

2. The multiparty Government of Haiti established by President Préval in May 2006 continued to benefit from broad public support, based in particular on improvements in security. The Government's economic achievements included the stabilization of the local currency and a noteworthy reduction in inflation. President Préval sought to anchor the rule of law through initiatives to promote judicial reform and curb corruption and drug trafficking. During my visit to Haiti on 1 and 2 August, the President urged continued United Nations support and requested that MINUSTAH reorient itself with a greater focus on judicial reform, institutional support and the provision of basic services and that it assume additional tasks, such as border management. President Préval also pursued efforts to reinforce regional cooperation, in particular with the Caribbean Community, including through visits to a number of key partners in and beyond the region.

3. On 18 May, President Préval called on Haitians to participate in a war against corruption and to root out bribe-taking officials. He demonstrated his commitment to that policy with prompt and decisive action after tackling the security situation in the urban shanty towns. In June, the second largest seizure of illegal drugs in the history of Haiti led to the arrest of a dozen individuals, half of whom were police officers. Some weeks later, four businessmen were arrested in connection with a high-profile banking corruption scandal. Efforts to fight organized crime continued with the arrests of several key figures connected with drug trafficking and of two prominent businessmen charged with fraud.

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4. The President maintained his multiparty Government through continued dialogue with political parties, legislators and civil-society representatives. However, the relationship between the Government and the parliament remained strained as a result of, inter alia, the lower House's summoning of several ministers and some legislators to replace the Prime Minister. Late in July, the Minister for Culture and Communication was the subject of a vote of no confidence, on the basis of allegations of misuse of public funds, and he resigned early in August. There have also been a number of allegations of corruption against legislators.

5. Political blocs in the parliament have remained fluid, and the rate of absenteeism has frequently caused sessions to be postponed. During the first ordinary session, in January 2007, the legislature adopted the State budget, passed five bills on State loans and one related to development programmes and ratified four international conventions. The pace of work intensified during the extraordinary session held in June. Various committees met with ministers to review budgetary and administrative issues and to inquire into high-profile controversies. In a welcome development, the Senate recently passed two of three bills on the independence of the judiciary (see para. 41).

6. Some of the main political parties struggled with internal conflicts and a lack of unity with their representatives in the parliament and local government. In June, some parties initiated a national review of draft legislation on political party reform, which will be presented to civil society through regional meetings. Also in June, Lespwa, the electoral coalition that brought President Préval to power, began organizing regional meetings to promote its transformation into a political party.

7. There has been significant political interest in devising a process to review provisions in the 1987 Constitution that have been criticized as contradictory or impractical. Additional focus on this issue has been generated by the forthcoming senatorial elections. No agreement has emerged concerning the best method of undertaking such reforms. Several political parties insist that constitutional reform should take place through the mechanisms stipulated in the Constitution. Others have advocated for the drafting of a new Constitution. There are also divergent positions on such key related issues as the electoral system, dual nationality and the status of the army.

8. President Préval has extended his outreach efforts beyond the capital to the municipalities and has demonstrated interest in decentralization and the empowerment of local governance. On four occasions he invited all mayors and deputy mayors to meet with Government officials. President Préval has encouraged the mayors to be proactive in increasing local revenue and fighting corruption. However, the newly elected local authorities are constrained by inadequate resources and an incomplete legal framework. Municipal administrations, which derive the bulk of their revenue from transfers from the central Government, often lack the means to deliver services to the population. Some communal authorities lack the necessary physical facilities to operate effectively. Relations with State representatives in the departments are complicated because of the fact that they were appointed by the Transitional Government and have not been confirmed or replaced by the current Government.

Elections

9. On 29 April, partial reruns for the local and municipal elections were held without serious incident. Some 300,000 citizens were eligible to cast votes. Voter turnout was relatively uneven, ranging from less than 10 per cent to over 40 per cent. MINUSTAH facilitated the conduct of the elections by providing logistical and administrative assistance to the Provisional Electoral Council and, together with electoral guards and the Haitian National Police, ensured security. Based on the results of those and previous elections, the members of the multiparty Government (Lespwa, Fusion, Organisation du Peuple en Lutte, Union, Alyans and Fanmi Lavalas) govern in 93 of the 140 municipalities. Lespwa took 27 municipalities, more than any other party. The participation rate of women as voters and candidates was higher than in previous elections. Twenty-five women were elected as mayors, a sharp increase from the six elected in 2000.

10. The sub-communal assembly results were published on 7 August. The Constitution now calls for indirect elections to be held to establish councils and assemblies at the municipal, departmental and interdepartmental levels and to designate members of a permanent electoral council, as well as judges up to the appeals level. Draft legislation defining the modalities for such indirect elections has yet to be submitted to the parliament. Once the legislation has been passed, the process of organizing the indirect elections is expected to take at least three months. Funding for the elections (estimated at $500,000) has been secured. In addition, the mandates of one third of the members of the Senate will expire on 14 January 2008, and senatorial elections should be held by the end of 2007. Funding for the senatorial elections (estimated at $16 million) has not yet been secured. MINUSTAH is ready to provide logistical and security support for both elections.

11. A voter registration process to be launched by the Haitian National Office of Identification and the Provisional Electoral Council in collaboration with the Organization of American States will seek to update voter rolls before the senatorial elections are held. It will address mainly those who have turned 18 since the 2005 registration and those who did not register at that time.

Institutional support and the strengthening of the State

12. The effectiveness of the institutions of governance of Haiti will depend above all on the commitment of the political leadership and civil society to ongoing dialogue and constructive collaboration, although the provision of expertise and material support will also be crucial. Elected officials inherited weak institutions that suffer from shortages of qualified personnel, inadequate infrastructure and limited budgetary and material resources. In response, MINUSTAH is continuing to enhance skills and to promote coordination among international assistance efforts, while providing urgent technical assistance and expert advice for the development of key institutions, including the Office of the President, major ministries, the parliament and relevant local bodies.

13. MINUSTAH has cooperated closely with the Government and legislators, including through advice aimed at strengthening the internal organization of the parliament. It has facilitated contacts between the parliament, civil society and local government and supported thematic meetings between parliamentarians and the

international community. Further assistance to the parliament will be provided through the sharing of best practices of other national legislatures and the promotion of efforts to coordinate international support. MINUSTAH will continue to support parliamentary outreach through multimedia centres in the 10 departments.

14. In order to enhance the impact and sustainability of international cooperation, MINUSTAH and the wider United Nations system have promoted regular coordination meetings between donors and national authorities at the technical and political levels, including discussions between the Government and the international community task force regarding those areas that have been particularly affected by gang violence (see para. 60). The Mission also facilitated monthly consultations between the President, the Prime Minister and the Core Group.

15. MINUSTAH has assisted the Ministry of Interior and Local Government in establishing municipal councils by providing technical expertise on topics such as budgetary principles and management. The Mission also supported training programmes for 58 comptrollers. In order to respond to urgent needs and to help local authorities to deliver a minimum level of functioning local governance, MINUSTAH supported 166 quick-impact projects ($2.02 million), including 92 to rehabilitate public buildings essential for the functioning of local government. An additional quick-impact project ($200,000) is being implemented with the Ministry of Interior and Local Government to provide all mayors and departmental delegates and vice-delegates with municipal start-up kits. Those projects not only provided support for local government at a time when other assistance was not forthcoming, but also paved the way for enhanced support for MINUSTAH by the newly elected officials.

16. In keeping with Government priorities, the Mission, together with the United Nations country team, will continue to focus on extending State authority and building local capacity, particularly with regard to public service delivery, the development of local taxation and the promotion of good governance. In doing so, it will be essential to foster links between institutions at the local level, support State reform and decentralization and promote transparency and the fight against corruption. Complementary bilateral support is crucial to meet infrastructure requirements and to supplement the Mission's expertise, particularly in areas such as the property register, capacity-building, including of the civil service, and the generation of local revenue.

Integrated border management

17. Lack of control by Haiti of its land and sea borders is a factor of instability affecting the sustainability of the political and economic governance, security and institutional development of the country. Given its 1,600 miles of unprotected coastline, its unguarded seaports and its numerous clandestine airstrips, the country is subject to penetration by those engaged in illicit trafficking, including in arms and drugs, whose activities could create renewed instability if they are not stopped. There have been widespread reports of trafficking activities across the land border and via the ports and coastline, as well as the many small airstrips, of Haiti. The Mission's threat assessment (see para. 26) identified illicit trafficking and the consequent corruption of institutions as significant threats to stability. The loss of

State revenue resulting from the dysfunctional customs service and port administration is also significant.

18. The lack of effective basic border management directly affects the joint efforts of the Haitian authorities and MINUSTAH to enhance security, the rule of law and institutional support. The Government has approved a three-year strategic plan for strengthening the Haitian customs system, which was prepared by the customs service with support from the International Monetary Fund (IMF). However, an integrated approach will be required if the State is to extend its authority to the borders in a comprehensive manner and thereby play a central role in solidifying stability. In this regard, the Government has recently indicated its interest in establishing an appropriate comprehensive border management mechanism.

19. The Mission has identified four crucial objectives in this area: supporting the establishment of an integrated border management strategy and strengthening the related State institutions; improving border security, which should reduce illicit trafficking; increasing revenue and tax collection; and supporting cross-border arrangements.

20. MINUSTAH could make a key contribution by supporting the extension of State authority to the land and maritime borders pending the formulation and implementation of a comprehensive border management strategy endorsed by the Government. With regard to improving border security, it will be necessary for MINUSTAH to redeploy and reorient certain elements of its military and police personnel to assist the Government in controlling the land and maritime borders (see paras. 28 and 29 below). International expertise is essential to assist the Government in the formulation and implementation of such a strategy, as well as to guide the Mission's overall efforts to assist the Government of Haiti in border management.

III. Security situation

Security operations

21. There have been significant improvements in the security situation, particularly in the urban areas that had previously been under gang control. The restoration of those areas to State authority represents an important stride forward. In the regions, the security situation remains relatively calm. However, the situation is still fragile (see para. 26 below), and the gains achieved need to be consolidated in order to prevent backsliding and promote long-term stability.

22. The dialogue with members of armed groups initiated by the Government in July 2006 aimed at achieving voluntary disarmament proved unfruitful, prompting the Government and MINUSTAH to increase pressure on the gangs. A series of intensive and intelligence-driven security operations in urban areas, particularly in Port-au-Prince and Gonaïves, restored them to State authority. From 22 December 2006 to 28 February 2007, MINUSTAH and the Haitian National Police conducted a total of 19 security operations in Cité Soleil and Martissant. Those operations dislodged the main gang leaders and, together with other joint operations throughout the country, led to the arrest of some 850 suspected gang members by the end of July. Initially, members of armed groups launched sustained counter-attacks, injuring six peacekeepers. However, armed resistance decreased markedly after two

main gang leaders fled the area. Those operations paved the way for the Haitian National Police, supported by MINUSTAH, to return to those areas and, in March, to begin joint patrols in Cité Soleil.

23. In Martissant, gang rivalry was a source of violence. In January alone, 29 bodies were discovered. MINUSTAH and the Haitian National Police conducted a series of targeted arrests that led to a sharp decrease in the level of violence. On 22 January, an office was established co-locating MINUSTAH military, police and civilian components with the Haitian National Police. The Haitian National Police and MINUSTAH now carry out joint patrols, which have been welcomed by the population. However, while gang violence has declined, there has been a corresponding increase in public lynching.

24. Recent security operations also brought significant improvement in Gonaïves, where gangs had become entrenched. Following a number of violent incidents, including the brutal murders of a Fanmi Lavalas spokesman and of the Director of Radio Gonaïves, MINUSTAH and the Haitian National Police stepped up security operations in early May. During two months of intensified activity focusing largely on the volatile shanty towns, some 90 individuals were arrested.

25. Initial progress has also been made against drug trafficking. The counter-drug unit of the Haitian National Police has conducted limited operations, facilitated by support from the United States of America, including an operation that took place in Léogâne on 31 May that resulted in the seizure of 420 kilograms of cocaine and the arrests of five Haitian National Police officers and of foreign nationals. That seizure gives some indication of the use of Haiti as a significant transit point for the shipment of drugs to the United States and Europe.

26. In July, the Mission conducted a detailed threat assessment, which identified three security threats facing Haiti. First, there is the likelihood of civil unrest, which is increased by an environment marked by the persistence of a deep socio-economic divide and compounded by high unemployment and high expectations on the part of the people. Secondly, the potential for renewed armed violence within the country remains considerable. Despite the fact that many suspected criminals have been apprehended in 2007, relatively few weapons have been confiscated, and many former gang members, who could be persuaded to resume their gang activities by spoilers with political or criminal motives, remain at large. Thirdly, the illicit traffic in drugs, arms and contraband remains a critical factor. If not addressed, illicit trafficking will continue to corrupt State institutions. Corruption, and its acceptance throughout society, will continue to foster impunity. It should be noted that, while incidents of kidnapping have significantly decreased in 2007, the phenomenon still represents a threat.

27. Despite marginal improvements in Haitian National Police capability, it remains unable to undertake crucial security tasks unaided (see para. 38), and MINUSTAH security forces will need to undertake key mandated activities so as to ensure a safe and secure environment and to shore up the gains made thus far. A significant security presence in Port-au-Prince will continue to be required to solidify the security situation there. In the regions, the absence of effective and visible State institutions necessitates a basic security presence on the part of MINUSTAH to monitor developments, promote a sense of stability and prevent incidents. It will also be crucial for MINUSTAH to establish a minimum security

presence along the land and maritime borders of the country — a mandated task not yet addressed because of other priorities.

28. Accordingly, MINUSTAH should retain its military and police components at this time, with some adjustments in composition being made to reflect the changing circumstances and priorities, which call for the military to enhance its capabilities in border control, engineering and mobility, while decreasing its infantry capabilities. It is recommended that the Mission's military force level be reduced by one company (some 140 troops) and that certain heavy equipment be repatriated. The remaining 7,060 troops would be reconfigured in line with the threat assessment. The Mission would reduce its military presence in calmer rural and urban areas, where increased Haitian and international policing capacity would facilitate the transfer of some basic patrolling duties, and would redeploy military personnel to establish patrols within maritime and land border areas, in cooperation with the Haitian National Police and MINUSTAH police. Pending the development of the Haitian National Police maritime policing capacity, coastal patrolling would be undertaken by means of small craft based at key sites around the country. Up to 16 small craft would be required. Some additional engineering capability would also be necessary, as would the retention of a mobile force reserve to address specific incidents.

29. Given the military redeployment and the continuing limitations in Haitian National Police operational capacity, the MINUSTAH police component will need to increase its support for maintaining law and order. It is therefore recommended that the police component be increased, with one additional formed police unit of up to 140 officers. That additional capability would enhance the Mission's ability to support the Haitian National Police in undertaking key basic policing functions, consolidating the progress that has been made in securing and stabilizing urban areas over the past six months and limiting the risk of reversal that might result from a somewhat smaller military component assuming additional border-related tasks. Individual MINUSTAH police officers would support the development of the maritime police within the Haitian National Police and would mentor and monitor Haitian National Police personnel engaged in border responsibilities. Those activities would be aligned with the Mission's overall strategy to progressively transfer geographical and functional responsibilities to Haitian counterparts and to facilitate Haitian National Police engagement in conventional law and order duties, in accordance with the Haitian National Police reform plan. Alongside the Mission's efforts, bilateral support for the Haitian Coast Guard will remain essential if the transitional process is to advance.

30. The combined MINUSTAH and Haitian National Police security assets in Haiti will remain below 20,000 personnel, which has been conservatively identified in the Haitian National Police reform plan as the minimum required to maintain the country's security. The relatively high degree of mobility of the Mission's military and police components should help avoid any major setback. Those arrangements will be kept under review as the security environment continues to evolve and Haitian National Police capacity develops.

Community violence reduction

31. Although violence in Haiti diminished during the reporting period, it remains a serious concern, in particular because of the prevalence of small arms held by private citizens and the fact that non-traditional actors are involved in fomenting instability. Traditional approaches to disarmament, however, do not address the unique circumstances in Haiti. Recognizing the need for a fresh approach, the Mission worked closely with national counterparts, the United Nations country team and donors to develop a community violence reduction programme. That process was informed by a United Nations assessment mission, as well as by a conference of leading national and international experts dealing with gang violence, which was held in Port-au-Prince.

32. The Mission's reoriented programme focuses on institutional support for and the capacity-building of the National Commission for Disarmament, Dismantlement and Reintegration. The programme will also concentrate on labour-intensive projects to provide an alternative to criminality for those in the violence-affected communities, pending larger-scale economic recovery efforts to be undertaken by the Government and its development partners. It will also support the development of a weapons registry, the revision of current laws on the importation and possession of arms and the reform of the weapons permit system. The programme will include Haitian National Police officers found by the vetting process to be unsuitable for service for reasons other than criminality. Efforts by the national authorities and MINUSTAH to reduce violence can succeed only with strong complementary bilateral assistance, including for promoting employment in gang-affected areas. MINUSTAH will coordinate activities with humanitarian and development partners, including through a steering group.

33. MINUSTAH continued to provide operational support to the National Commission for Disarmament, Dismantlement and Reintegration. In the period since 19 December 2006, 27 reinsertion and community-based projects (valued at $2.1 million) have reached various stages of implementation. Those projects are facilitating the return of former gang members to their communities, reinforcing the capacity of local communities to resolve conflicts peacefully, promoting a culture of peace, assisting victims of violence and supporting the creation of temporary employment. Several of the projects specifically target women, both as victims and as perpetrators of armed violence. So far, 381 individuals have entered the reinsertion programme. Approximately 200 weapons have been handed over.

IV. Reform of rule-of-law structures

Strengthening Haitian security capacity

34. Further progress was made to strengthen the Haitian National Police. Some 7,728 Haitian National Police officers are now undertaking policing duties. A further 633 officers from the nineteenth class at the Police Academy are scheduled to begin patrolling in late September 2007. This is in line with the Haitian National Police reform plan, which envisaged that some 1,500 officers would graduate per year. The police have adopted a new seven-month curriculum for basic training, which is followed by three months of field training. The Mission is supporting both

the Academy and the curriculum. For officers who are already serving, the monitoring and mentoring role of MINUSTAH police, including in field training, has helped reinforce core values and raise skill levels as high as those of Academy graduates.

35. MINUSTAH, together with the United Nations Development Programme (UNDP), continues to work closely with the leadership of Haiti in developing the institutional capacity of the Haitian National Police, including through close coordination with donors. Pledges and contributions by donors now total some $46 million in support of the reform plan and are supporting the establishment of a new General Inspectorate headquarters, the refurbishment of some police stations, the provision of equipment for regular operations and the construction of a new national Police Academy. MINUSTAH and the Haitian National Police are working together on the preparation of a maritime police development plan aimed at developing a local capacity capable of gradually assuming the coastal patrolling responsibilities that MINUSTAH will undertake in the meantime. Bilateral support to develop the country's coast-guard capacity remains essential.

36. On 18 January 2007, 220 Haitian National Police officers officially entered the vetting programme in Jérémie. Their files are being reviewed and investigated by the joint Haitian National Police-MINUSTAH teams. The teams have now begun their work in Les Cayes, where they have opened 280 case files. In parallel, 30 additional case files were opened in Port-au-Prince for senior managers of the Haitian National Police. Background checks on officers undergoing training in the Police Academy were completed for the eighteenth and nineteenth classes. Twenty-six recruits have been dismissed to date as a result of background checks. The Inspector General is conducting a separate internal affairs investigation, and about 540 cases have been finalized by the Minister for Justice and Public Security, leading to termination of employment.

37. MINUSTAH continued to mainstream gender issues in the Haitian National Police through the development of educational material for instructors at the Police Academy and training in connection with Haitian National Police gender focal points. The participation of women in the Haitian National Police is gradually increasing. Women currently constitute 6 per cent of police officers, and approximately 12 per cent of cadets in the current class are female. In August, the Haitian National Police, with MINUSTAH support, carried out a registration exercise to encourage women to join the police service, and thousands of women applied for some 150 places in the Academy's next class. MINUSTAH has also supported the establishment of reception units within police stations for female victims of violence.

38. While progress in police reform is encouraging, Haitian National Police capacity remains below the level required to ensure law and order in Haiti. Skill levels are basic, and institutional development is incomplete and fragile. The lack of key resources continues to limit the capacity of the Haitian National Police to operate outside Port-au-Prince. The number of police officers remains far below that required, and the ongoing vetting of police officers will limit staffing in the immediate future. Attaining a viable security structure is a long-term process. In accordance with the reform plan timelines, and assuming that there are no unforeseen obstacles, it will take four more years before the Haitian National Police can reach 14,000 — the minimum figure for basic policing duties.

Judicial system

39. On 27 March, President Préval convened a special public meeting on the reform of the rule-of-law institutions — a priority issue for his presidency. As a result, an ad hoc committee on judicial reform was established. This so-called follow-up committee is chaired by the Minister for Justice and Public Security and includes representatives from civil society, the Bar Association, human rights organizations, political parties, the parliament and MINUSTAH. On 13 June, the committee presented a report with 18 short-term recommendations to initiate the reform process, which was strongly supported by the Independent Expert of the Secretary-General on the situation of human rights in Haiti. The committee subsequently produced a road map, with timelines, for the implementation of the 18 recommendations.

40. Meanwhile, the Government has continued to work to promote judicial reform, particularly in connection with a legislative framework and strategic planning. In June, the Minister for Justice and Public Security established a small working group to prepare an overall strategic plan for judicial reform, to be finalized and adopted by the Government in liaison with national and international partners in the framework of the poverty reduction strategic plan. The Ministry has also prepared a circular instructing all judges and prosecutors about new procedures for criminal forensic investigations and is developing legal assistance initiatives, in particular to provide basic judicial assistance and legal advice to residents in areas torn by violence.

41. On 31 July and 2 August 2007, the Senate unanimously adopted two bills prepared by the Minister for Justice and Public Security on, respectively, the status of magistrates and the Superior Council, which oversees their functions. The bills are currently before the Chamber of Deputies, while a third bill, on a school for magistrates, remains before the Senate. The progress on those bills constitutes a crucial step towards judicial reform, since they would provide a framework, tools and mechanisms to fight corruption, impunity and ethical and disciplinary problems within the judiciary, as well as establish arrangements for the certification of judges and prosecutors.

42. MINUSTAH, in coordination with its partners, will continue to provide technical advice both to institutions and to individual actors within the judicial system. Particular areas of activity will include assistance to the Ministry of Justice and Public Security, collaboration with Haitian efforts to professionalize judicial actors, including through *accompagnement* (mentoring) and certification programmes, and support for the Government's efforts to ensure effective legal follow-up to major criminal activities. The Mission will continue to assist the Government in promoting the coordination of bilateral assistance, particularly in such areas as restructuring the Ministry, certifying magistrates, legal aid for the most vulnerable and modernizing key legislation.

Prison system

43. The security and human rights situations in Haitian prisons remain unacceptable. As of August 2007, more than 6,000 detainees were being held within 17 prisons in an area that, in accordance with international standards, should not

accommodate more than 1,088 inmates. The National Penitentiary in Port-au-Prince currently houses 2,700 inmates in accommodation adequate for 800. As of July 2007, 82.5 per cent of prisoners are pretrial detainees (90.4 per cent male, 5.3 per cent female; 3.6 per cent male minors, 0.7 per cent female minors).

44. The early work of the Consultative Commission on Prolonged Pretrial Detention, which was established in February 2007, is encouraging. On 2 July, the Commission submitted its first report, leading to the release of 150 persons, including pregnant women and minors. Given the high rate of illegal pretrial detention, that initiative is of key importance. On 6 August, the Commission presented its second report, on juvenile detention and justice. The Commission has also supported measures by the Minister for Justice and Public Security and the Chief Prosecutor to improve due process and safeguard the penal chain.

45. The National Prison Administration, with assistance from MINUSTAH and UNDP, developed a comprehensive strategic plan, including cost estimates, for prison reform for the next five years, which was approved by the Prime Minister on 7 August. The plan has six elements: (a) the reinforcement of security in corrections facilities; (b) the improvement of prison conditions; (c) the improvement of working conditions for staff; (d) the professionalization of staff; (e) the restructuring of the prison system; and (f) the rehabilitation and social reintegration of inmates.

46. MINUSTAH and UNDP will now support the National Prison Administration in facilitating donor coordination. MINUSTAH and UNDP have also provided technical advice regarding the building of new facilities consistent with international standards. As an urgent measure, MINUSTAH has implemented six quick-impact projects to improve the sanitary conditions in six prisons. International corrections officers will continue to work in the regions, implementing mentoring and training programmes. Continued United Nations and bilateral donor engagement will be essential for the successful implementation of the strategic plan for penal management.

V. Human rights

47. Crime and urban violence remain of concern, although more Haitians have enjoyed increased security and freedom of movement as a result of the security operations. At the same time, the improvements in the security situation have brought the weakness of the judicial system to the fore, as law enforcement, court and prison systems remain unable to manage the influx of persons arrested and detained.

48. Particular concern continued to be generated by reports of arbitrary arrests, unlawful police custody, ill-treatment and excessive use of force. The Haitian National Police still needs to make improvements in the areas of respect for judicial oversight, legal procedures, professional and scientific investigation techniques and the maintenance of operational and legal records. Meanwhile, lack of technical expertise, poor communications, negligence and apparent corruption on the part of judicial authorities have resulted in numerous unlawful arrests, prolonged pretrial detention and a low number of court decisions.

49. MINUSTAH continued its regular monitoring of police commissariats, prosecutors' offices, justices of the peace, courts and prisons. It has also provided

local authorities and the public with information on developments in the human rights situation and on the institutional functioning of key rule-of-law institutions. In February 2007, MINUSTAH organized two national seminars during which judicial and police authorities dealt with complex challenges pertaining to the protection of judicial guarantees. The Mission has also supported the institutional development of the Haitian National Police General Inspectorate in human rights through training and the exchange of information on individual cases. MINUSTAH also conducted a wide array of advocacy efforts, working closely with civil society, including human rights organizations, women's associations, professional interest groups and the media.

50. As a reflection of public distrust of the judicial system, many Haitians appear to avoid the formal court system and rely on other methods to arbitrate or handle disputes, including lynching. Over the past six months, MINUSTAH has received reports of 60 people having been killed by lynching and of 28 people having been seriously injured or maimed as a result of attempted lynchings. While many of those attacks were spontaneous, others were premeditated acts carried out in response to robberies, family disputes, gang activity or accusations of witchcraft. Unfortunately, the lynching phenomenon has, historically, garnered little public scrutiny from the State or from civil society. However, during the reporting period some 20 individuals were arrested for their participation in lynchings.

51. From 15 to 20 April, in collaboration with the Ministry of Women's Affairs and Rights, MINUSTAH hosted a high-level delegation from the United Nations Division for the Advancement of Women. The delegation initiated the provision of technical support to the Government on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women.

52. MINUSTAH will continue its monitoring and training activities aimed at strengthening capacities and facilitating institutional reform, while producing periodic and thematic reports to inform key public institutions, including the police, the judicial system, local administrative authorities and the parliament, about the protection of human rights, the fight against impunity and institutional reform. MINUSTAH will ensure that human rights standards are integrated into the vetting of the Haitian National Police, which it will also monitor. In its training activities for law enforcement, judicial and administrative authorities, MINUSTAH will seek to address the key human rights violations and procedural irregularities observed in the field. Support will also be provided to the Government in developing a human rights action plan and in reporting to international treaty bodies on human rights, as well as to the parliament and civil society. Particular emphasis will be placed on strengthening programmatic capacities within the Office of the Ombudsman. MINUSTAH will also augment its civic education efforts to raise awareness among the broader public of human rights and rule-of-law issues, including those related to law enforcement, justice, the fight against impunity and economic, social and cultural rights.

Child protection

53. Despite the recent improvements, a large number of children continue to be affected by armed violence. MINUSTAH continues to receive reports of the widespread rape and other grave sexual abuse of girls. The holding of minors in

prolonged pretrial detention remains a source of concern. On a positive note, the Juvenile Court of Port-au-Prince resumed functioning in January 2007, with support from MINUSTAH and the United Nations Children's Fund (UNICEF), and the Consultative Commission on Prolonged Pretrial Detention is prioritizing juvenile justice. MINUSTAH and UNICEF continued to provide training on child protection and juvenile justice to judicial actors and Haitian National Police officers.

54. The situation of children in institutional care centres and of children who are victims of trafficking is of great concern. MINUSTAH provided technical assistance to the Brigade for the Protection of Minors, the Institute of Social Well-being and Research and the Office of the Ombudsman to facilitate investigation and family reunification, and it is prioritizing support for the Ministry of Social Affairs to reinforce monitoring of institutional care centres. Lastly, the situation of *restavek* children (children who are forced into domestic labour) remains worrying. UNICEF estimates that there are approximately 173,000 *restavek* children working in Haiti, of whom 60 per cent are girls. They live in appalling conditions and are often beaten and abused.

VI. Humanitarian recovery and development

Socio-economic situation

55. Haiti has made progress in stabilizing the economy over the past three years. In May 2007 the annual inflation rate declined to 8.3 per cent, the currency stabilized, international reserves reached close to $250 million and growth, although modest, resumed. On 23 July, the IMF Executive Board completed the first review of the country's economic programme under the Poverty Reduction and Growth Facility arrangement, making some $11.7 million immediately available for disbursement. Haiti can also now benefit from the multilateral debt relief initiatives of the World Bank and the Inter-American Development Bank. Prospects for private sector growth were also enhanced by the adoption by the United States Congress of the Hemispheric Opportunity through Partnership Encouragement Act, which provides preferential tariffs for textiles, the largest export sector in Haiti.

56. If Haiti maintains its current path, real growth is expected in its gross domestic product, which should increase from 2.5 per cent in fiscal year 2005/06 to 3.5 per cent in the current fiscal year and to about 4 per cent over the medium term. Such progress will require continued improvement in terms of security, as well as efforts to foster economic stability and create a more predictable business environment. The spending and implementation capacity of the Government remains limited. Various structural and institutional factors, such as supply bottlenecks in the construction sector, dilapidated infrastructure and the inadequate supply and high cost of basic utility services, need to be addressed. Similarly, education and health services and regulatory frameworks for property rights need to be improved.

57. Despite the macroeconomic improvements, the majority of the population remains in dire poverty. The lack of employment opportunities and public services, exacerbated by rapid population growth, are a source of growing frustration, as are ongoing socio-economic disparities. Further pressure is created by environmental degradation. It remains urgent to address the humanitarian needs and socio-

economic realities of daily life, the extreme hardship of which poses an implicit threat to all efforts to stabilize the country.

58. MINUSTAH and the United Nations country team strive to maximize the impact of their assistance through closer integration and joint programmes. However, their effectiveness will depend on cooperation and strong support from bilateral donors and the re-engagement of the private sector. The international community should give priority to developing innovative approaches for delivering a peace dividend, including through the generation of short-term employment opportunities.

59. While addressing short-term needs, it is also important to prepare for the longer term. The poverty reduction strategy paper, which is expected to be finalized by September 2007, will provide the framework for international assistance by defining concrete programmes and projects in the context of a midterm development framework endorsed by the Government and aimed at fulfilling the Millennium Development Goals. Under the leadership of the Government, and with support from UNDP, the United Nations Population Fund and MINUSTAH, the poverty reduction strategy paper is being prepared through a broad country-wide consultative process. The United Nations system will also develop a new United Nations Development Assistance Framework for 2009 to 2011.

Humanitarian and socio-economic needs

60. An international task force, comprising MINUSTAH, the United Nations country team, key partners and donors, was launched in January to help ameliorate the dismal situation in the shanty towns of Port-au-Prince. Its aim is to identify a broad strategy as well as short- and medium-term activities for those areas. The Government launched its own task force for Cité Soleil to reinforce coordination and implement a coherent development strategy. Together, the two task forces developed a comprehensive plan, with projects worth some $42 million that are benefiting approximately 300,000 people — implemented or planned by MINUSTAH, the United Nations country team and non-governmental organizations — to address, inter alia, nutrition, water and sanitation and emergency food aid. UNDP and MINUSTAH also began implementing a pilot project funded by the Government of Norway for supporting the most disadvantaged areas of Haiti, while the International Organization for Migration (IOM) undertook complementary confidence-building and reconciliation activities.

61. Haiti has been affected by inclement weather in 2007, including heavy rains in May, affecting over 12,000 families. MINUSTAH, the Office for the Coordination of Humanitarian Affairs, UNDP, UNICEF, the World Food Programme (WFP) and the Food and Agriculture Organization of the United Nations (FAO) provided assistance. Contingency plans for a potentially severe hurricane season were updated by the Office for the Coordination of Humanitarian Affairs in cooperation with the Government. MINUSTAH strengthened its joint operations centre to augment the country's disaster-response capacity through improved logistics, communication and coordination. The Office for the Coordination of Humanitarian Affairs organized a humanitarian and development forum every two weeks to share information and discuss humanitarian issues.

62. An appeal covering the period from January 2007 to June 2008 was launched by the United Nations system for a total of $97.9 million to support the Government's priorities, pending the implementation of the United Nations Development Assistance Framework. Donor response has so far been limited (10 per cent of overall estimated needs). Funding from Canada, Norway and Spain was used for activities in the areas of disaster prevention, agriculture, maternal health and the protection of vulnerable segments of the population, as well as for initiatives at the land border.

63. The United Nations Educational, Scientific and Cultural Organization, UNICEF, the World Bank and bilateral donors supported the Government in developing a national strategy for education. As part of its health programmes targeting pregnant women and malnourished children, WFP distributed more than 6,310 tons of direct food assistance to some 193,000 beneficiaries. School canteens received 3,048 tons of food assistance, providing a daily food supplement for some 312,000 schoolchildren. The WFP food-for-work programme provided 412,000 people with some 829 tons of food assistance and, together with IOM, FAO and UNDP, generated over 1 million person days of employment. The Pan American Health Organization working in collaboration with the World Health Organization, as well as UNICEF and MINUSTAH assisted the Government in organizing a mass immunization campaign that will have an impact on some 7 million people. The United Nations Office for Project Services provided management and support services to the Mission's communications centres as well as to multimedia centres in Haiti that promote dialogue with civil society, local media and the local authorities. It also renovated two hydropower stations.

VII. Mission support

64. In addition to routine tasks, key mission support activities included logistical assistance for elections in April, the handover of the University of Tabarre to local authorities and the relocation of the Brazilian contingent. Logistical support was also provided for security operations and the establishment of a MINUSTAH office in Martissant. A new joint operations centre was constructed in the Mission's headquarters.

65. Promoting adherence to standards of conduct for personnel and enforcing a zero-tolerance policy for sexual exploitation and abuse remained priorities. MINUSTAH undertook an awareness campaign on the prevention of sexual exploitation, targeting both the public and MINUSTAH personnel. The number of international and national staff who underwent relevant training increased, and two integrated training modules were created for military and police personnel. Additional training on conduct and discipline issues is being provided for all personnel with supervisory, managerial and command responsibilities.

66. Since January 2007, 7 MINUSTAH personnel have died in the course of duty (not from hostile fire), 35 have been medically evacuated to locations outside Haiti and 40 have been medically evacuated to higher-level care within Haiti. Diseases that can have serious health consequences remain a major concern for personnel. Mission personnel also continue to confront serious security hazards. Since January, 8 national staff members have been kidnapped, and approximately 30 staff members, both national and international, have been assaulted.

VIII. Financial aspects

67. By its resolution 61/284, the General Assembly appropriated the amount of $535,372,800, equivalent to $44,614,400 per month, for the maintenance of MINUSTAH for the period from 1 July 2007 to 30 June 2008. Should the Security Council decide to extend the mandate of MINUSTAH beyond 15 October 2007, the cost of maintaining the Mission until 30 June 2008 would be limited to the amounts approved by the General Assembly.

68. As at 30 April 2007, unpaid assessed contributions to the Special Account for MINUSTAH amounted to $164.8 million. The total outstanding assessed contributions for all peacekeeping operations as at that date amounted to $2,074.6 million.

69. As at 31 July 2007, amounts owed to troop and formed police contributors to MINUSTAH totalled $15.1 million. Reimbursement of troop costs has been made for the period up to 31 May 2007 and, for contingent-owned equipment, up to 31 March 2007, in accordance with the quarterly payment schedule.

IX. Observations

70. **On 1 and 2 August, I travelled to Haiti to assess the stabilization process and to reaffirm the United Nations commitment to Haiti. I held extensive discussions with members of the Haitian Government and parliament, as well as other influential members of Haitian society, and reviewed the work of the Mission. My visit gave me a first-hand awareness of the degree to which Haiti now stands at a moment of hope unlike anything that has been possible for decades. My optimism is based upon the considerable achievements thus far, and the determination of the Haitian leadership and people to address root causes of Haiti's crisis, with the support of the international community. However, the length of the journey ahead and the fragility of recent gains were also starkly apparent, as was the real possibility that this moment of hope could dissipate unless it is supported through long-term commitment and vision. Haitian and international engagement is essential to consolidate these initial achievements and ensure that they become a firm basis for further progress towards stability and sustainable development.**

71. **The responsibility for Haiti's continued stabilization continues to rest first and foremost with its leadership and people. All actors must set aside divisive approaches and embrace the dialogue and collaboration promoted by President Préval. Recent progress towards the adoption of key legislation related to judicial reform is an encouraging development in this regard. Equally important are decisions to strengthen institutions of governance, such as local authorities, and to establish a permanent electoral council. Respect for the rule of law and State institutions can be further buttressed by support for President Préval's initiatives to end impunity and to curb corruption. These values must be reinforced, including by members of civil society and the private sector.**

72. **Consolidation of the recent achievements will require sustained and substantial international support, including through the continued deployment of MINUSTAH, as called for by President Préval during my visit. The assistance of MINUSTAH remains essential to support Haiti's efforts to achieve key objectives in such areas as governance, security, rule of law, the**

reinforcement of State institutions and respect for human rights, so as to create an enabling environment for socio-economic development.

73. **I therefore recommend that the Security Council extend the mandate of the Mission for 12 months, while retaining the responsibilities established in its prior resolutions. After carefully listening to President Préval's priorities and assessing the situation on the ground, I do not see the need for a change in the current mandate, but I believe that MINUSTAH should progressively reorient and reconfigure itself to reflect changing circumstances on the ground.**

74. **While the democratic legitimacy of the Haitian leadership has laid the foundations for a new beginning, stability will depend on the capacity of the authorities at all levels to formulate policy and deliver public services. New areas where MINUSTAH may need to provide technical expertise at the national level would include border management, security strategies and anti-corruption. Appropriate MINUSTAH staff, experienced in border management issues, will be essential to support the efforts of the Government of Haiti in this area. The Mission will also need to help local authorities to attain a minimum level of capacity to serve their constituents. The provision of quick-impact projects continues to make a crucial difference, including by fostering public support for MINUSTAH and the implementation of its mandate and by promoting the safety and security of its personnel.**

75. **Substantial gains have been made in restoring gang-controlled urban areas to State authority. A review of security threats, challenges and risks has shown, however, that the situation remains fragile, and the root causes of instability are still present. Renewed political or criminal violence could re-emerge, as could civil disturbance. In addition, the absence of security forces along the border severely undermines efforts to stabilize the country. International peacekeepers will continue to assume the bulk of security-related responsibilities, pending the gradual development of the Haitian National Police. However, the current force of MINUSTAH needs to be adjusted to address effectively the present situation and possible threats, as well as to support the priorities outlined by President Préval. Accordingly, I recommend that the Mission's security components be reconfigured in line with the concepts outlined in paragraphs 28 and 29 of the present report, and that its troop strength be reduced by one company, to a total of 7,060, while its police component would be increased by an additional formed police unit, making a total of 2,091 police (out of which 1,140 would consist of officers in nine formed police units).**

76. **These arrangements would fall within the overall framework of a gradual transition towards reliance on Haitian structures to maintain stability, with a progressive transfer of functional or geographical responsibilities as corresponding capacity of the Haitian National Police develops. To this end, MINUSTAH will continue to strengthen the Haitian National Police. The Mission will also cooperate closely with the Haitian authorities in support of a comprehensive programme for judicial reform. These processes must be complemented by renewed efforts to shore up the prison system, where conditions remain unacceptable. MINUSTAH support for institutional strengthening and the promotion of good governance remain essential.**

77. During the coming mandate period, MINUSTAH would develop a consolidation plan, with clear benchmarks for progress. Further details and elaboration on the Mission's transition strategy will be provided in my next report to the Security Council. However, the efforts of the Mission can be successful only if they are complemented by robust bilateral assistance in priority areas, including elections. Above all, bilateral actors and the private sector must assist with the economic recovery of the country and promote the generation of employment.

78. In conclusion, I would like to express my appreciation for the courage and dedication of the military, police and civilian personnel of MINUSTAH, and to those Governments that have provided troops and police to the operation. I would also like to place on record my sincere gratitude to my outgoing Special Representative, Edmond Mulet, whose leadership, determination and political skills have made a key contribution to ensuring substantial progress towards the stabilization of the country.

Annex I

United Nations Stabilization Mission in Haiti: countries providing military staff and contingents (as at 15 August 2007)

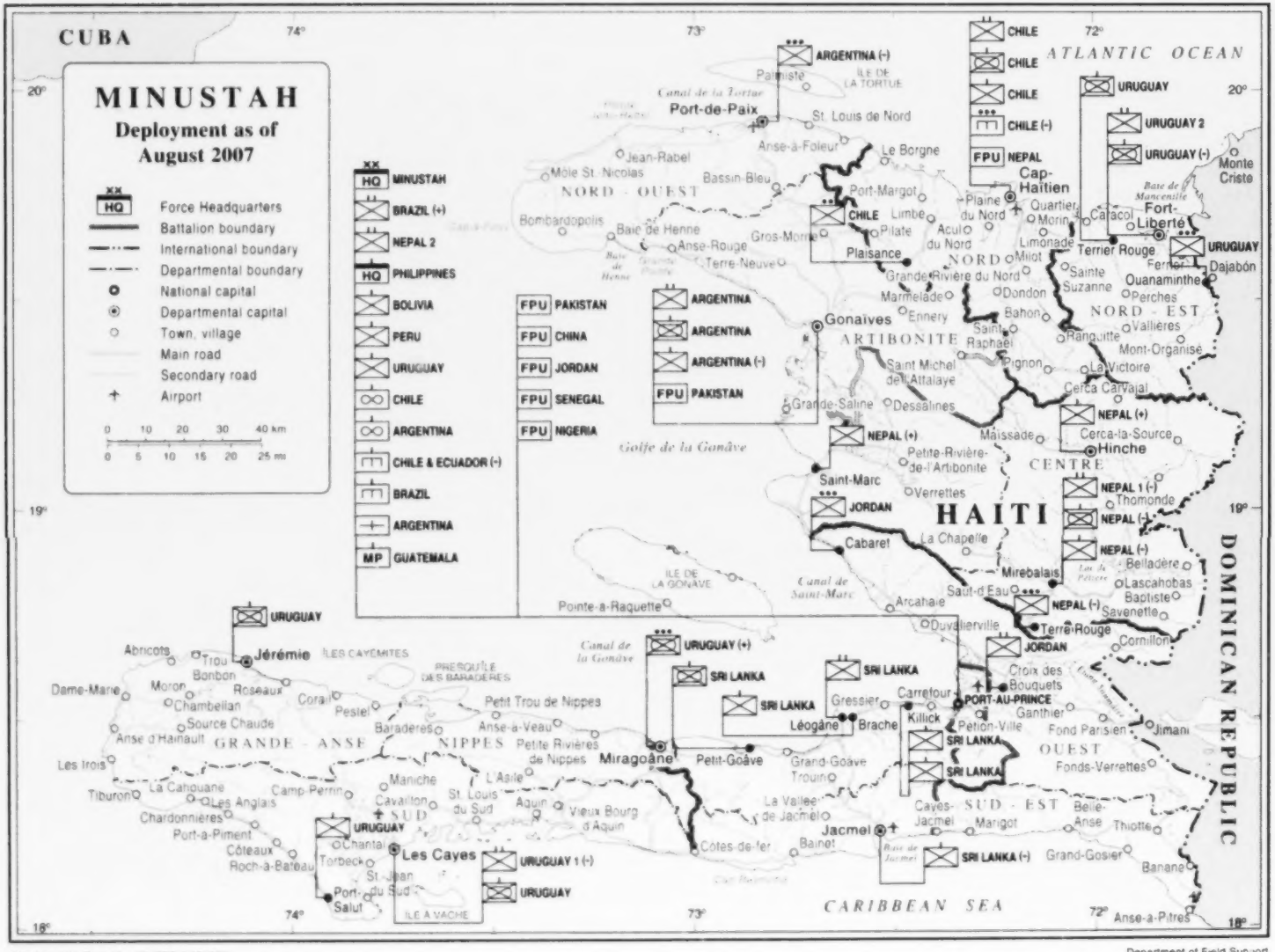
Country	*Staff officers*	*Troops*	*Total*
Argentina	10	552	562
Bolivia	3	215	218
Brazil[a]	15	1 196	1 211
Canada	4	—	4
Chile	5	497	502
Croatia	3	—	3
Ecuador	1	66	67
France	2	—	2
Guatemala	5	114	119
Jordan	10	746	756
Nepal	10	1 098	1 108
Pakistan	1	—	1
Paraguay	Nil	31	31
Peru	5	205	210
Philippines	1	155	156
Sri Lanka	10	950	960
United States of America	3	—	3
Uruguay	13	1 134	1 147
Total	**101**	**6 979**	**7 080**

[a] Including the Force Commander.

Annex II

United Nations Stabilization Mission in Haiti: countries providing police officers and formed police units (as at 15 August 2007)

Country	*Police officers*	*Formed police units*	*Total*
Australia	1	—	1
Argentina	4	—	4
Benin	52	—	52
Brazil	4	—	4
Burkina Faso	57	—	57
Cameroon	42	—	42
Canada	57	—	57
Central African Republic	1	—	1
Chad	1	—	1
Chile	13	—	13
China	11	125	136
Colombia	2	—	2
Egypt	11	—	11
El Salvador	3	—	3
France	71	—	71
Guinea	48	—	48
Jordan	4	290	294
Madagascar	1	—	1
Mali	61	—	61
Mauritius	1	—	1
Nepal	21	125	146
Niger	73	—	73
Nigeria	4	125	129
Pakistan	—	249	249
Philippines	11	—	11
Romania	10	—	10
Russian Federation	6	—	6
Rwanda	11	—	11
Senegal	66	85	151
Spain	41	—	41
Togo	11	—	11
Turkey	22	—	22
United States of America	49	—	49
Uruguay	2	—	2
Total	**760**	**999**	**1 770**


MINUSTAH
Deployment as of August 2007
Force Headquarters
Battalion boundary
International boundary
Departmental boundary
National capital
Departmental capital
Town, village
Main road
Secondary road
Airport
0 10 20 30 40 km
0 5 10 15 20 25 mi
MINUSTAH
BRAZIL (+)
NEPAL 2
PHILIPPINES
BOLIVIA
PERU
URUGUAY
CHILE
ARGENTINA
CHILE & ECUADOR (-)
BRAZIL
ARGENTINA
GUATEMALA
PAKISTAN
CHINA
JORDAN
SENEGAL
NIGERIA
ARGENTINA
ARGENTINA
ARGENTINA (-)
PAKISTAN
CUBA
HAITI
DOMINICAN REPUBLIC
ATLANTIC OCEAN
CARIBBEAN SEA
Port-de-Paix
Gonaives
Cap-Haitien
Fort-Liberté
Hinche
Jérémie
Les Cayes
Jacmel
PORT-AU-PRINCE
Miragoâne
Petit-Goâve
Léogâne
Saint-Marc
Arcahaie
Mirebalais
Thomonde
Ouanaminthe
Dajabón
Anse-a-Pitres
Golfe de la Gonâve
Canal de la Tortue
Canal de Saint-Marc
Canal de la Gonâve
ILE DE LA TORTUE
ILE DE LA GONAVE
ILE A VACHE
PRESQU'ILE DES BARADERES
ILES CAYEMITES
NORD - OUEST
NORD
NORD - EST
ARTIBONITE
CENTRE
OUEST
SUD
SUD - EST
GRANDE - ANSE
NIPPES
Baie de Henne
Baie de Mancenille
Baie de Jacmel
Bombardopolis
Jean-Rabel
Môle St. Nicolas
Bassin-Bleu
Port-Margot
Limbe
Pilate
Plaisance
Gros-Morne
Terre-Neuve
Anse-Rouge
Acul du Nord
Plaine du Nord
Quartier Morin
Limonade
Milot
Caracol
Terrier Rouge
Sainte Suzanne
Ferrier
Perches
Vallières
Ranquitte
Mont-Organisé
Grande Rivière du Nord
Marmelade
Ennery
Dondon
Bahon
Saint Raphaël
Saint Michel de l'Attalaye
Pignon
La Victoire
Cerca Carvajal
Cerca-la-Source
Maïssade
Petite-Rivière-de-l'Artibonite
Verrettes
Grande-Saline
Dessalines
Saut-d'Eau
Belladère
Lascahobas
Baptiste
Savenette
Cornillon
Terre-Rouge
Duvalierville
Croix des Bouquets
Carrefour
Gressier
Killick
Pétion-Ville
Ganthier
Fond Parisien
Jimani
Brache
Grand-Goâve
Petit Trou de Nippes
Petite Rivières de Nippes
Anse-a-Veau
Baraderes
Source Chaude
Anse d'Hainault
Dame-Marie
Moron
Chambellan
Roseaux
Bonbon
Trou
Abricots
Les Irois
Tiburon
La Cahouane
Les Anglais
Chardonnières
Port-a-Piment
Côteaux
Roch-à-Bateau
Camp Perrin
Maniche
Cavaillon
St. Louis du Sud
L'Asile
Aquin
Vieux Bourg d'Aquin
Chantal
Torbeck
St. Jean
Port-du Salut
Côtes-de-fer
La Vallée de Jacmel
Baine
Cayes-Jacmel
Marigot
Belle-Anse
Thiotte
Grand-Gosier
Banane
Pointe-à-Raquette
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